



City of Seattle

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Gregory J. Nickels, Mayor

**Department of Design, Construction and Land Use**

D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR  
OF THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

**Application Number:** 2205958

**Applicant Name:** James Lucal

**Address of Proposal:** 202 NW 53rd Street

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to subdivide one parcel into two parcels of land in an environmentally critical area. Proposed parcel sizes are: A) 5,797 square feet and B) 5,003 square feet. Existing single family residence to remain.

The following approvals are required:

Short Subdivision - To subdivide one parcel into two.  
(SMC Chapter 23.24)  
SEPA – Environmental Determination (SMC 25.05)

**SEPA DETERMINATION:** ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition, or  
involving another agency with jurisdiction.

**BACKGROUND DATA**

Zoning: SF

Date of Site Visit: NA

Uses on Site:           Single Family Residential

Substantive Site Characteristics

There is a terraced garage off NW 543rd Street, which the survey shows to have curbs and sidewalks adjacent to the project. A limited steep slope exemption was granted pursuant to DCLU Project No. 2208505 based on the submitted information which shows that the 'steep slopes' at the subject site are not more than 20 feet in height and are not part of a larger steep slope system, or slopes which have been created through previous, legal grading activities. All adjacent parcels appear to be developed with single family residences. Development would be in close proximity to these residences, but not closer than often observed in the zone.

Public Comment

Three comment letters were received. One was a request to extend the comment period; the other two opposed the proposed subdivision. Concerns were expressed regarding loss of green space, impacts to steep slopes, potential for a new house to violate height limits, difficulties using the proposed steep driveway and noise impacts due to use of the steep driveway.

**ANALYSIS - SHORT SUBDIVISION**

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following applicable facts and conditions are found to exist.

1.     *Conformance to the applicable Land Use Code provisions;*
2.     *Adequacy of access for vehicles, utilities and fire protection, as provided in Section 23.53.005;*
3.     *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4.     *Whether the public use and interests are served by permitting the proposed division of land;*
5.     *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*
6.     *Is designed to maximize the retention of existing trees;*

### Summary - Short Subdivision

Based on information provided by the applicant, referral comments as appropriate from DCLU, Water (SPU), Fire Departments (SFD), Seattle City Light, and Parks and review by the Land Use Planner, the above cited criteria have been met subject to the conditions imposed at the end of this decision. This short subdivision will meet all minimum standards or applicable exceptions as set forth in the Land Use Code, and is consistent with applicable development standards. As conditioned, this short subdivision can be provided with vehicular access, public and private utilities and access (including emergency vehicles). Adequate provisions for drainage control, water supply and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing utility extensions. The proposal complies with the applicable regulations of SMC 25.09.240. The proposed plat maximizes the retention of existing trees. The public use and interest are served by the proposal since all applicable criteria are met and the proposal creates the potential for additional housing opportunities in the City.

### **DECISION - SHORT SUBDIVISION**

The proposed Short Subdivision is **CONDITIONALLY GRANTED**. (Specific condition stated following the SEPA analysis and decision. Applicant must also meet all standard recording requirements and conditions and/or requirements as attached to approval cover letter.)

### **SEPA ANALYSIS**

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated 19 December 2002. The information in the checklist, public comment, and the experience of DCLU with review of similar projects form the basis for this analysis and decision. Note that pursuant to SMC 25.05.908.B, the scope of the environmental review of the subject short subdivision is limited to:

1. Documenting whether the proposal is consistent with The City of Seattle Regulations for Environmentally Critical Areas, SMC Chapter 25.09; and
2. Evaluating potentially significant impacts on the environmentally critical area resources not adequately addressed in The City of Seattle Environmentally Critical Areas Policies or the requirements of SMC Chapter 25.09, Regulations for Environmentally Critical Areas, including in additional mitigation measures needed to protect the environmentally critical areas in order to achieve consistency with SEPA and other applicable environmental review laws.

Access to the proposed new parcel will ultimately require construction of a steeply-graded driveway off of NW 56th Street. Plans for the driveway have been reviewed by DCLU

geotechnical staff, and there are no concerns that a properly constructed driveway would destabilize soils on or adjacent to the site. Construction impacts would be adequately mitigated by compliance with the Stormwater, Drainage and Grading Control Code. No further mitigation is required.

#### Long-term Impacts

There would be minor long-term impacts from proposed access construction, including increased surface water runoff due to greater site coverage by impervious surfaces. This impact would be minor, and compliance with the Stormwater, Drainage and Grading Control Code would provide adequate mitigation. No further mitigation is required.

#### **DECISION**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).

#### **CONDITIONS - SEPA**

None.

#### **CONDITIONS - SHORT SUBDIVISION**

##### Conditions of Approval Prior to Recording

The owner(s) and/or responsible party(s) shall

1. Comply with all applicable standard recording requirements and instructions. Conditions of approval following recording shall be added to face of plat.
2. Add "per Seattle Fire Department Administrative Rule 9.1" to the end of the note stating the requirement for sprinklering and monitoring.

*Conditions of Approval Following Recording*

*Prior to issuance of any building permit*

The owner(s) and/or responsible party(s) shall

1. Attach a copy of the recorded short subdivision to all permit application plans for any application for a permit to construct, demolish, or change use.

Signature: \_\_\_\_\_ (signature on file) Date: July 21, 2003

Paul M. Janos, Land Use Planner  
Department of Design, Construction and Land Use  
Land Use Services

PMJ:bg

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